

11 CIV. 9690

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JEROME GREEN,

Plaintiff,

CIVIL ACTION COMPLAINT

-v-

CIV

JOHN DOE, Shield No. 930017  
New York City Police  
Officer; JOHN DOE Shield No.  
New York City Police  
Officer; X

JURY TRIAL DEMANDED

CITY OF NEW YORK.

Defendants.

RECEIVED  
NY PROSECUTOR  
DEC 29 PM 2:59

JURISDICTION

1. This is an action for compensatory and punitive damages pursuant to 42 U.S.C. §§ 1983 and 1988, and the Fourth and Fourteenth Amendments to the United States Constitution, against the mentioned defendants of the New York City Police Department, and the City of New York, in their individual and official capacities. Jurisdiction is based upon 28 U.S.C. §§ 1331 and 1343.

PARTIES

2. JEROME GREEN, is and was at all material times herein a resident of New York County. He is currently incarcerated at Coxsackie Correctional Facility, P.O. Box 999, Coxsackie, New York 12051.

3. Defendants 930017,  
John Doe 1 and John Doe 2 were at all times relevant to this complaint a duly appointed and acting officer of the New York City Police Department for New York City, acting under color of law, to wit, under color of the statutes, ordinances, regulations, policies, customs and usages of the State of New York and/or the City of New York.

4. The City of New York, is a municipal corporation and the public employer of the aforementioned defendants.

STATEMENT OF FACTS

5. On MARCH 3, 2010, at approximately 10:45 p.m., in New York County, at Police Plaza bathroom, defendants JOHN DOE # 930017,  
\_\_\_\_\_ and John Doe 2 knowingly, maliciously and sadistically punched and kicked the plaintiff without cause or provocation.

6. On the above date and time, defendant JOHN DOE # 930017 knowingly, maliciously, and sadistically subjected the plaintiff to a manual strip search by insertion of his finger into plaintiff's rectum.

7. As a direct and proximate result of the said acts of the defendants, Plaintiff sustained the following injuries.

a) Physical pain and suffering and emotional trauma and suffering.

8. The actions of the defendants violated the following clearly established and well settled federal constitutional rights of Jerome Green:

1) Freedom from the use of excessive force, unreasonable and unjustified force against his person;

9. Thereafter the plaintiff had been transported to Bellevue Hospital, and treated for injuries.

10. Prior to October 3, 2010, the City of New York developed and maintained policies or customs exhibiting deliberate indifference to the constitutional rights of persons in New York City, which caused these violations of Jerome Green.

11. It was the policy and /or custom of the City of New York to inadequately supervise and train its police officers, including the defendants officers, thereby failing to adequately discourage further constitutional violations on the part of its police officers.

WHEREFORE, it is respectfully requested that this Court:

a) Award compensatory and punitive damages in the amount of \$ 1.3 Million dollars against the defendants police officer;

b) Award punitive damages in the amount of \$ 250,000.00 against the City of New York;

c) Award reasonable attorney's fees and cost to the plaintiff on all counts of the complaint.

Respectfully submitted:

Jerome Green  
JEROME GREEN

# 11 -A- 0549

Coxsackie Corr. Fac.  
P.O. Box 999  
Coxsackie, New York

Sworn to before me this

28 day of November, 2011

28 USC § 1746

NOTARY PUBLIC

November 28  
~~October~~, 2011

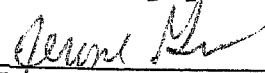
Clerk of the Court  
United States District Court  
Southern District of New York  
500 Pearl Street, courthouse  
New York, New York 10007-

Your Honorable Clerk:

Enclosed herewith are copies of plaintiff's  
civil action complaint, four in total.

Much oblige.

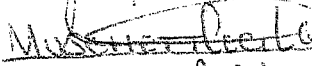
Sincerely yours,

  
Jerome Green  
# 11 -A- 0549

Coxsackie Corr. Fac  
Coxsackie, N.Y. 12051

SWORN TO BEFORE ME THIS

26TH DAY OF NOVEMBER 2011

  
NOTARY PUBLIC

MUSCHETT, CECIL G.  
Notary Public - State of New York  
Qualified in Schenectady County  
Commission Expires 06.07.2014